

REMARKS

Claims 1 and 30 are amended. Claims 1, 3-18, 30 and 32-42 are pending in the application. Claims 9-13 and 40-42 stand withdrawn as being directed to a non-elected invention. Claims 1,3-8, 30 and 32-39 are currently under consideration.

Claims 1, 3-4, 7, 14-18, 30, 32-35 and 38 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Fukushima (US Patent Publication No. 2002/0197879). Without admission as to the propriety of the Examiner's rejection, claims 1 and 30 are amended to no longer recite a pressure of at least 30 psi. Accordingly, as acknowledged by the Examiner at page 2 of the present Action, the claims are entitled to the filing date of the original parent application that pre-dates the Fukushima reference. Fukushima is therefore not prior art relative to the present claims.

Claims 1, 3-6, 14-18, 30 and 32-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Combes (US Patent No. 5,725,987). The Examiner is reminded by direction to MPEP § 2131 that anticipation requires each and every element of a claim to be disclosed in a single prior art reference. Claims 1, 3-6, 14-18, 30 and 32-37 are allowable over Combes for at least the reason that Combes fails to disclosed each and every element in any of those claims.

Each of claims 1 and 30 recite forming a monolayer. The Examiner indicates that monomer formation is inherent in the Combes reference. Applicant disagrees. Combes discloses a variety of surface treating coating compounds. The coating formed will, of course, depend on the compound utilized. The Combes reference indicates that the "products obtained include hydrophobic silica, hydrophobic titania, oxides, and the like".

Nowhere does the reference indicate compounds or products limited to monomer formation. Accordingly, claims 1 and 30 are not anticipated by Combs and are allowable over this reference.

Claims 3-6, 14-18 and 32-37 are not anticipated by Combes for at least the reason that they depend from corresponding non-anticipated base claims 1 and 30.

Claims 5-6 and 36-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukushima. As indicated above, the claims of the present application pre-date the Fukushima reference and Fukushima does not qualify as prior art.

Claims 1, 3-8, 14-18, 30 and 32-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mankell (US Patent Publication No. 2002/0127399) in view of Fukushima or Combes. Fukushima does not qualify as prior art (see above). The Examiner is reminded by direction to MPEP § 2143 that a proper obviousness rejection has the following three requirements: 1) there must be some suggestion or motivation to modify or combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the combined references must teach or suggest all of the claim limitations. Claims 1, 3-8, 14-18, 30 and 32-39 are allowable over Mankell in view of Combes for at least the reason that the references fail to disclose or suggest each and every element in any of those claims.

As indicated above, each of claims 1 and 30 recite forming a monolayer. Mankell is relied upon as disclosing mechanisms “similar to those used in monolayers” (present Action at page 6). However, Mankell does not indicate or suggest that monolayers are formed. Nor does Combes contribute to this recited feature for the reasons discussed

above. Accordingly, claims 1 and 30 are not rendered obvious by the combination of Mankell and Combes and are allowable over this reference.

Claims 3-8, 14-18, and 32-39 are allowable over Mankell and Combes for at least the reason that they depend from corresponding allowable base claims 1 and 30.

For the reasons discussed above, claims 1,3-8, 30 and 32-39 are allowable. Accordingly, applicant respectfully requests formal allowance of such claims in the Examiner's next action.

Respectfully submitted,

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